

01-02-01

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Filing No. A-68767-1/RFT/RMS/BTC

Anticipated Classification of this Application:

Class: Subclass:

Prior Application

Examiner:

Art Unit:

"EXPRESS MAIL" MAILING LABEL

NUMBER EL659498936US

DATE OF DEPOSIT December 28, 2000

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED  
WITH THE UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST  
OFFICE TO ADDRESSEE" SERVICE UNDER 37 CFR 1.10 ON THE DATE  
INDICATED ABOVE AND IS ADDRESSED TO: ASSISTANT  
COMMISSIONER FOR PATENTS, WASHINGTON, DC 20231.

TYPED NAME VINCENT DIAZ

SIGNED *Vincent Diaz*

## Box PATENT APPLICATION

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

This is a request for filing an

Original  Continuation  Divisional  Continuation-in-part  
application under 37 C.F.R. 1.53(b), in the name of

**David ZARLING (Menlo Park, CA); Gurucharan REDDY (Fremont, CA); and Susha PATI (Redwood City, CA)**  
(Names of ALL Applicants)

for **RECOMBINASE MEDIATED GENE CHIP DETECTION**  
(Title of Invention)

This  continuation  divisional  continuation-in-part

claims priority to pending application Serial No. 60/173,348, filed on December 28, 1999.

1. (a)  Enclosed is a new application.
- (b)  Enclosed is a continuation-in-part application.
- (c)  Enclosed is a copy of the prior application.
2. (a)  Enclosed is a new Declaration.
- (b)  Enclosed is a copy of the prior Declaration as originally filed.
3. (a)  Enclosed is a Small Entity Affidavit.
- (b)  Applicant claims Small Entity status under 37 CFR 1.27.
4.  The filing fee is calculated below:

Claims as filed in the prior application, less any claims canceled by amendment below:

	(Col. 1) NO. FILED	(Col. 2) NO. EXTRA	SMALL ENTITY RATE	OTHER THAN SMALL ENTITY RATE
<b>BASIC FEE</b>			<b>\$355</b>	<b>\$710</b>
TOTAL CLAIMS	- 20 =	*	× 9 =	\$ × 18 =
INDEP CLAIMS	- 3 =	*	× 40 =	\$ × 80 =
MULTIPLE DEPENDENT CLAIM PRESENTED	yes	no	+135 =	\$ +270 =
If the difference in Col 1 is less than zero, enter "0" in Col. 2			TOTAL	\$ TOTAL

5.  The Commissioner is hereby authorized to charge any additional fees which may be required, including extension fees, or credit any overpayment to Deposit Account No. 06-1300 (Order No. \_\_\_\_\_).

6.  Our check in the amount of \_\_\_\_\_ is enclosed.  
 The filing fee is NOT being submitted with this transmittal letter.

7.  Cancel in this application original claims \_\_\_\_\_ of the prior application before calculating the filing fee. (At least one independent claim must be retained for filing purposes.)

8.  Amend the specification by inserting before the first line the sentence:  
--This is a \_\_\_\_\_ continuation \_\_\_\_\_ divisional \_\_\_\_\_ continuation-in-part  
of application Serial No. \_\_\_\_\_ filed \_\_\_\_\_.

9. (a)  Informal drawings are NOT enclosed.  
(b)  Formal drawings are NOT enclosed.

10. (a)  Priority of application Serial No. 60/173,348 filed on December 28, 1999 in the United States of America is claimed under 35 U.S.C. 119/120.  
(b)  The certified copy has been filed in prior application Serial No. \_\_\_\_\_ filed on \_\_\_\_\_.

11.  The prior application is assigned of record to \_\_\_\_\_

12.  The power of attorney in the prior application is to:  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_  
(a)  The power appears in the original papers in the prior application.  
(b)  Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.  
(c)  A new power has been executed and is enclosed.  
(d)  Address all future communications to:  
  
FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP  
Four Embarcadero Center - Suite 3400  
San Francisco, California 94111-4187  
Tel.: (415) 781-1989  
Fax: (415) 398-3249

13.  A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

14.  I hereby verify that the attached papers are a true duplicate of prior application Serial No. \_\_\_\_\_ as originally filed on \_\_\_\_\_.

Date: December 28, 2000

Signature: \_\_\_\_\_

  
Robin Silva, Reg. No. 38,204

Address of Signer:

FLEHR HOHBACH TEST  
ALBRITTON & HERBERT LLP  
4 Embarcadero Center - Suite 3400  
San Francisco, California 94111-4187  
Tel.: (415) 781-1989  
Fax: (415) 398-3249

Attorney or agent of record

Filed under Section 1.34(a)